

# COASTAL ZONE MANAGEMENT ACT COMPLIANCE FOR CDBG-DR PROJECTS



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The National Oceanic and Atmospheric Administration (NOAA) passed the Coastal Zone Management Act (CZMA) in 1972. The goal is to preserve, protect, develop, and possibly, to restore or enhance the resources of the nation's coastal zone. The Texas Coastal Management Program (CMP), managed by the Texas General Land Office (GLO), focuses on the long-term environmental and economic health of the Texas coast. Specifically, the CMP awards approximately \$2.2 million annually in grants, reviews federal actions in the Texas coastal zone to ensure consistency with the goals and policies of the CMP, supports protection of natural habitats and wildlife, and provides baseline data on the health of gulf waters. Texas is one of only a handful of coastal states to pass substantial amounts of CZMA funds through to coastal communities.

The GLO funded a variety of coastal projects in all parts of the coastal zone for a wide variety of purposes and established the following categories for use of these funds by coastal communities: Coastal Natural Hazards Response, Critical Areas Enhancement; Public Access, Waterfront Revitalization and Ecotourism Development; Permit Streamlining/Assistance; Governmental Coordination and Local Government Planning Assistance; and Water Sediment Quantity and Quality Improvements.

**Projects assisted by Community Development Block Grant Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development (HUD) that may affect the coastal zone must be carried out in a manner consistent with the state coastal zone management program under Section 307(c) and (d) of the CZMA, as amended:**

- ▶ Activities within or outside the coastal zone that affects any land or water use, or natural resource of the coastal zone must show compliance with the Texas CMP.
- ▶ A federal consistency determination provided by GLO Coastal must be included in the Environmental Review Record (ERR).
- ▶ Federal agencies shall not approve proposed projects that are inconsistent with the enforceable policies of a coastal state's management program with exception.

**The ERR must contain one of the following:**

- ▶ A general location map showing that the project is not in the Texas Coastal Zone;
- ▶ A determination that project activities are not subject to state review per the CMP memo referenced below); or
- ▶ A federal consistency determination, which includes a description of any necessary mitigation.

## GLO CMP CONSISTENCY DETERMINATION MEMORANDUM

On October 15, 2018 (revised August 21, 2020), the Texas GLO CDR and GLO Coastal Protection finalized a memorandum of agreement that lists CDBG-DR activities that are excluded from CMP Federal consistency determinations in order to expedite disaster recovery throughout the state of Texas.

For more information, please reach out to **Patrick Kainer** at [patrick.kainer.glo@recovery.texas.gov](mailto:patrick.kainer.glo@recovery.texas.gov) or **Angel Peltola** at [angel.peltola.glo@recovery.texas.gov](mailto:angel.peltola.glo@recovery.texas.gov). To determine whether your proposed activity lies within the CMP boundary, please contact the **Permit Service Center** at [permitting.assistance@glo.texas.gov](mailto:permitting.assistance@glo.texas.gov).